

Signing the Budget Document

Question: We failed to get the council members to sign the certificate page after the budget was adopted last night. Can I still send it to the county clerk? Is the budget valid without any signatures on the certificate page?

Answer: Yes, your budget is still valid and yes, you can still send your budget to the county clerk without any signatures on the certificate page. An additional question, though, is whether the county clerk will “attest to” the budget submitted.

While the budget law does not specifically require that the budget certificate be signed, K.S.A. 79-2930(b) does require that the county clerk “compute the tax levy rates . . . and enter such on the budget certificate before attesting the budget . . .” The act of attestation by the county clerk is one whereby the county clerk declares that the budget was adopted in accordance with the law, and without any governing body signatures on the page of the budget document at which the governing body makes such a declaration, it would not be out of line for the county clerk to refuse to accept the budget without further proof of that to which he or she is mandated to attest.

Our recommendation is that you obtain the signature of at least one governing body member present during adoption of the budget, and preferably that all members sign the budget certificate prior to its submission to the county clerk.

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